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BEFORE THE

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Federal Communications Commission

WASHINGTON, D.C.

NOV 15 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In re )  
 )  
Amendment of Section 73.202(b), ) MM Docket No. 94-\_\_\_\_  
Table of Allotments, ) RM-\_\_\_\_  
FM Broadcast Stations )  
(Llano and Marble Falls, Texas)

To: The Acting Chief, Allocations Branch,  
Mass Media Bureau

**PETITION FOR RULE MAKING AND FOR ORDER TO SHOW CAUSE**

Maxagrid Broadcasting Corporation ("Maxagrid"), the licensee of radio station KLKM(FM), Channel 284C3, Llano, Texas, hereby requests the FCC to initiate a combined rule-making and show-cause proceeding looking toward amendment of Section 73.202(b) of the Rules and modification of KLKM's station license to specify a different channel and community of license. Specifically, Maxagrid seeks: substitution of Channel 285C3 at Marble Falls, Texas for the current Channel 284C3 at Llano; a concomitant modification of KLKM's license; and allotment of 242A at Llano to allow the latter to enjoy a local service.

1. Exhibit A hereto shows that these changes will produce a preferential arrangement of FM allotments. Report and Order in MM Docket No. 88-526, 4 FCC Rcd. 4870 (1989), recons. granted in part, 5 FCC Rcd. 7094 (1990). Maxagrid's proposal for KLKM is technically mutually exclusive with the station's current facilities, and comports with all FCC technical requirements and policies. The reallocation will advance the goals of § 307(b) of

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the Communications Act of 1934, as amended, and will not deprive Llano an FM allotment. Exhibit A shows that Marble Falls fully deserves a transmission service and is well removed from any Urbanized Area.

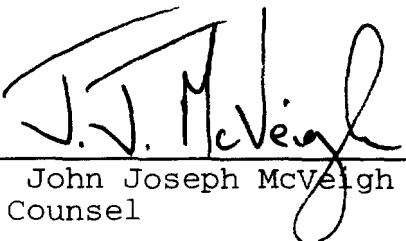
2. Maxgrid intends, if the Commission amends the FM Table as requested herein, to promptly apply for a construction permit specifying operation of KLKM on Channel 285C3 at Marble Falls. Upon grant of that application, Maxagrid intends to construct, place into operation, and seek a covering license for the modified KLKM facility.

CONCLUSION

For the reasons stated above, relicensing KLKM to Marble Falls will serve the public interest. Accordingly, the FCC should promptly institute a combined rule-making and show-cause proceeding looking toward amending the FM Table of Allotments and concomitantly modifying KLKM's station license as Maxagrid has proposed herein.

Respectfully submitted,

**MAXAGRID BROADCASTING CORPORATION**

By   
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Its Counsel

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Date: November 15, 1994

**EXHIBIT A**

BEFORE THE  
**Federal Communications Commission**

WASHINGTON, D.C. 20554

In the Matter of:	)	
	)	
Amendment of Section 73.202(b)	)	MM Docket No. _____
The Table of Allotments	)	RM No. _____
FM Broadcast Stations	)	
(Llano and Marble Falls, Texas)	)	

To: Chief, Policy and Rules Division

PETITION FOR RULEMAKING AND MODIFICATION OF LICENSE

Maxagrid Broadcasting Corp. (hereinafter referred to as "Maxagrid" or "petitioner"), licensee of FM Radio Station KLKM, 104.7 MHz, Llano, Texas, files this Petition to amend the FM Table of Allotments. Specifically, Maxagrid seeks to have Channel 285C3 assigned to Marble Falls, Texas and the license for Station KLKM modified to specify operation on Channel 285C3 at Marble Falls, Texas. In addition, Maxagrid requests the substitution of Channel 242A at Llano, Texas as follows:

	<u>Channel</u>	
<u>City, State</u>	<u>Present</u>	<u>Proposed</u>
Llano, Texas	284C3	242A (*)
Marble Falls, Texas	---	285C3 (**)

(\*) Site Restriction 8.1 kilometers North required.

(\*\*) Site Location 16.4 kilometers South-Southeast requested.

By this Petition, Maxagrid would have the Commission serve the public interest, convenience, and necessity by amending Section 73.202(b), thus providing Marble Falls, Texas with its first local service. Combined with the substitution of Channel 242A at Llano, this will yield a more efficient use of FM spectrum and permit Maxagrid to provide expanded service to Burnet County and surrounding area.

#### I. DEMOGRAPHIC DATA

The community of Marble Falls, Texas is an incorporated city within Burnet County, and is located in central Texas approximately 61 kilometers northwest from Austin. The 1990 Census lists the Marble Falls population at 4,007 persons, and the total Burnet County population at 22,677 persons. The city has identifiable boundaries as required in the Revision of FM Assignment Policies and Priorities, 51 R.R. 2d 807, 816 (1982).

Marble Falls is served by a Mayor, City Council, Chamber of Commerce, library, Post Office, independent school system, as well as police and fire departments. (\*)

In contrast, the 1990 Census listed the city of Llano with a total population of 2,962 persons.

(\*) Marble Falls is located outside any urbanized area.

## II. PETITIONER WILL APPLY FOR THE REQUESTED FACILITY

Maxagrid will file an application for Channel 285C3 at Marble Falls and promptly begin construction upon issuance of a construction permit if the instant petition is granted and the license of Station KLKM is modified as requested. See FM Channel Assignments, 53 R.R 2d, 341, 344.

## III. ENGINEERING DATA

The requested coordinates for the proposed Channel 285C3 allotment at Marble Falls are:

N.L. 30-26-45

W.L. 98-11-45

This location is 16.4 kilometers South-Southeast from the reference coordinates for Marble Falls. This location will permit Station KLKM to provide improved FM service to the region and will provide the required 70 dBm signal contour to Marble Falls. Table 1.0 presents the allocation study results.

**STEPHAN M. KRAMER, P.E. AND ASSOCIATES****BROADCAST AND FAA CONSULTING ENGINEERS**

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Table 1.0

**PROPOSED CHANNEL 285C3 ALLOTMENT AT MARBLE FALLS, TEXAS****Maxagrid Broadcasting Corp.**

FM Study for:	KLKM MOVE	FCC Database	30-26-45
Location:	MARBLE FALLS, TX	Channel Class:	C3 98-11-45
Mexican Class A spacing is based on Class AA spacing.			
Call	City, State	Chan Class	Freq kW Latitude Dist. Required
Status	Proponent	File Number	HAAT Longitude Azm. Clear (km)

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>>>>>> Study For Channel 285 104.9 MHz <<<<<<<

KLKM	LLANO, TX	284 C3	104.7	11.0+	30-41-12	44.8	99	73.215
LIC	MAXIGRID BROADCASTING	BLH-930528KA	140		98-34-15	306.7	-54.2	SHORT
Use of 73.215 for short spacing requires: 89 -44.2 SHORT								
KLKM	LLANO, TX	284 C3	104.7	11.0	30-41-12	44.8	99	73.215
CP	MAXIGRID BROADCASTING	BPH-930803IF	140		98-34-15	306.7	-54.2	SHORT
Use of 73.215 for short spacing requires: 89 -44.2 SHORT								
KBUK	LA BRANGE, TX	285 A	104.9	3.00	29-52-57	142.50	142	
LIC	FAYETTE BROADCASTING	BLH-5002		62	96-51-58	115.7	+0.50	CLOSE
ALLOC	DUBLIN, TX	285 C3	104.9		32-02-57	177.8	153	
VAC		Docket-89-128		0	98-12-24	359.7	+24.8	CLEAR
Site Restricted 6.4KM southeast-Effective 4-9-90-Pet For Recon Fld 900322-								
Pet For Recon Granted 930604								
KPLE	TEMPLE, TX	282 C2	104.3	34.+	30-59-12	80.8	56	73.215
LIC	KTEM RADIO, INC.	BLH-910422KI	182		97-37-47	42.0	+24.8	CLEAR
NEW	DUBLIN, TX	285 C3	104.9	25.0	32-05-34	102.9	153	
APP	DAVID J. SHEPHERD, IN	BPH-900510ML	100		98-05-27	3.1	+29.9	CLEAR
KSMG	SEGUIN, TX	287 C	105.3	94.	29-16-29	130.0	96	
LIC	KTXB, INC.	BLH-850314LP	381		98-15-52	102.9	+34.0	CLEAR
KLFX	HARKER HEIGHTS, TX	288 C2	105.5	36.+	31-05-23	91.5	56	73.215
CP	MID-TEXAS COMMUNICATI	BPH-921026II	176		97-35-55	30.5	+35.5	CLEAR
From channel 288A Per D89-525								

A computer analysis was completed to determine if Channel 242A could be substituted for Channel 284C3 at Llano, Texas. It was determined this substitution was available consistent with FCC technical standards. The proposed allotment requires a minimal site restriction of 8.1 kilometers north to maintain minimum spacing to adjacent Channel Station KSJL-FM, Channel 241C1, San Antonio, Texas. The requested coordinates for the proposed Llano substitution are:

N.L. 30-49-57

W.L. 98-40-39

Table 2.0 presents the analysis results.

As calculated, the proposed Channel 242A substitution at Llano and the proposed Channel 285C3 allotment at Marble Falls, meet all required Commission spacing requirements with respect to Section 73.207 and the Revised U.S.-Mexican FM Broadcast Agreement effective September 27, 1994.

WHEREFORE, the premises considered, it is respectfully requested the Commission institute a rulemaking proceeding, proposing to amend the FM Table of Allotments, Section 73.202(b), by the addition of Channel 285C3 to Marble Falls, Texas, and the substitution of Channel 242A for Channel 284C3 at Llano.

IT IS FURTHER REQUESTED that the Commission issue an order modifying petitioner's license for Station KLKM to specify operation on Channel 285C3 at Marble Falls, Texas.



**STEPHAN M. KRAMER, P.E. AND ASSOCIATES**

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Table 2.0

**PROPOSED CHANNEL 242A SUBSTITUTION AT LLANO, TEXAS****Maxagrid Broadcasting Corp.**

FM Study for: NEW ALLOC	FCC Database	38-49-57
Location: LLANO, TX	Channel Class: A	98-48-39
Mexican Class A spacing is based on Class AA spacing.		
Call City, State	Chan Class Freq kW Latitude Dist.	Required
Status Proponent	File Number HAAT Longitude Azm.	Clear (km)
-----		
>>>>>>> Study For Channel 242 96.3 MHz <<<<<<<		
KSJLFM SAN ANTONIO, TX	241 C1 96.1 99.	29-38-00 133.01 133
LIC INNER CITY B/CTING CO	BLH-930921KD 182	98-37-50 178.0 +0.01 CLOSE
CP EXPIRE DATE AS SHOWN		
KHFIFM GEORGETOWN, TX	244 C1 96.7 100.	30-19-20 101.4 75
LIC CLEAR CHANNEL RADIO L	BLH-891227KB 290	97-48-03 123.7 +26.4 CLEAR
KSCS FORT WORTH, TX	242 C 96.3 99.0	32-35-15 253.3 226
LIC WBAP/KSCS, INC.	BLH-900518KD 491	96-57-59 39.4 +27.3 CLEAR
KHLBFM BURNET, TX	295 A 106.9 2.00	30-44-12 38.3 10
LIC KIRKMAN GROUP, INC.	BLH-890621KB 112	98-17-36 106.0 +28.3 CLEAR

Respectfully submitted,  
Maxagrid Broadcasting Corp.

By: Shane Fox 11/7/94  
Shane Fox, President

and  
By: Stephan M. Kramer, P.E.  
Stephan Kramer, P.E.  
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November 1, 1994

